

**NEWFIELDS PLANNING BOARD MEETING
THURSDAY MAY 15, 2008**

Attendance: William Meserve, Michael Woodworth, Mike Price and Mike Todd. Absent from the meeting was Town Planner Clay Mitchell.

The meeting was called to order at 7pm.

Evergreen Estates-Bond Reduction

Aaron Brown from Atrio Properties addressed the Board. He would like to request a bond reduction on Evergreen Estates. His letter of credit was originally \$173,917.28. He has received one reduction and now he would like to reduce it to \$52,500. He wants to have Severino Trucking come in and put the final coat of pavement down and move towards a maintenance bond.

There are 9 lots that remain undeveloped, 14 are built and 2 are under construction. Aaron stated that they do anticipate having machinery on site for foundations and for tying into the water and sewer. In addition, there is nothing in his construction contract regarding the number of homes to be built out prior to being able to finish the infrastructure. Typically it is 50-75%.

Bill Meserve mentioned that there appears to be a considerable amount of material being stored on site for use on other sites. He is concerned that continued construction activity will damage the base coat.

Road Agent Brian Knipstein commented that in the past, developers have waited until the majority of the lots have been sold before applying the top coat. He too is concerned with construction activity after the top coat is down. There is definitely going to be damage. In his experience, 75% of the homes should be built out before finishing the infrastructure.

The Town made an agreement with Aaron Brown to conditionally approve Evergreen Estates roadway for winter maintenance only. At that time, the reason was so the developer didn't have to rush into doing the topcoat.

Bill Meserve would like to see the shoulders, loaming and seeding completed before moving forward.

Mike Price would like to know who will be responsible for the road when the maintenance bond runs out. Only 1/3 of the lots have been sold and some may not sell for quite some time.

Brian has no problem with reducing the letter of credit if he and Aaron can come to an agreement on a reasonable amount. He would like to see some

numbers.

Bill Meserve agreed with Brian. He has a problem with a 2 year maintenance bond at this time. The Board may want to extend it to 5 years.

Aaron mentioned that in the past the reduction on the letter of credit was done with the Selectmen not the Planning Board. He is scheduled to meet with the Selectmen on Tuesday May 27, 2008.

Bill Meserve suggested that Clay inform the Selectmen of the Board's thoughts and recommendations.

Preliminary Discussion

Cedar Island Ledge, Bill Davis Map 202 Lot 8.23

Bill Davis informed the Board that Map 202 Lot 8.23 is now 4.22 acres. He would like to discuss a way to get some utility out of the southerly portion of the lot. He is not looking for a subdivision but possibly putting another building on the lot.

Bill Meserve commented that the access management ordinance needs to be looked at to determine the location of the entrance. Bill Davis would like it across from the post office driveway. Bill Meserve would like Bill Davis to contact the State regarding the entrance prior to coming back before the Board. There are potential issues with the driveway location. It was 2 years ago that the applicant requested a driveway permit from the State.

Bill Davis commented that he believes a one store 2,700-3,200 square foot office building would fit on the lot. The impervious coverage would be 21%. Test pits were done and most were not successful.

Bill Meserve reminded the applicant that he needs to look at our architectural requirements and that parking should be at the back of the building. The Board would like Bill Davis to coordinate with Town Planner Clay Mitchell before coming back before the Board.

Pawlak-Lot Line Adjustment

Halls Mill Rd-Map 209 Lots 19 & 20

Ken Berry from Beals Associates presented the plan for lot line adjustment. The Pawlaks' own adjacent parcels of land on Halls Mill Road. 45 Halls Mill Road is 7.31 acres with a single family home which is rented out. 61 Halls Mill Road is 7.04 acres and is the Pawlaks' home. They would like to reduce the acreage of the rental property to 2.29 acres and increase their lot to 12.06 acres. The Pawlaks' have a barn and horses and would like the extra acreage. There are no new lots being created.

Ken mentioned that Clay did ask him to show septic and well areas on the proposed plan and that will be added.

A motion was

made by Mike Price and seconded by Michael Woodworth to accept the application. All were in favor and the motion carried.

Abutter Meredith Goodrich questioned whether or not the lots could be changed. It was her understanding that there were restrictions recorded on the original deeds and subdivision plan. The restriction would not allow a lot less than five acres.

The applicant's attorney did review this issue and found that the restriction on the deed states "the land cannot be further subdivided". They are not proposing to create two new lots.

The Board reviewed the deed. Bill Meserve would like a legal opinion on the restrictions before moving forward. Other than that the plan is okay.

Ken Berry will get a legal opinion for next months meeting.

Mary August mentioned that once the Pawlaks lot becomes 12 acres it will qualify for current use.

A motion was made by Mike Todd and seconded by Mike Price to continue the hearing until next month. All were in favor and the motion carried.

Vienneau Subdivision-12 lots Old Lee Rd.

The plan continues to be reviewed by Civilworks. There are several issues that need to be addressed. Jonathan Ring from Jones and Beach will meet with them to resolve the issues.

Attorney Battles submitted the Homeowners Association Documents to be reviewed by Town Counsel and Clay. The ownership of the conservation land has not been determined to date.

The applicant is requesting three waivers.

The first waiver is to allow the access road within the 75 foot required perimeter buffer. The purpose of this is to stay away from the wetlands. A motion was made by Mike Todd and seconded by Mike Price to grant the waiver for perimeter buffer. All were in favor and the motion carried.

Jonathan Ring mentioned that the cistern is now shown on sheet C5. He has double checked his yield calculations. The roadway is show as 22 feet and drainage items have been revised per Civilworks review.

The second waiver is for cul-de-sac length. A motion was made by Mike Todd and seconded by Mike Price to grant the waiver for cul-de-sac length. Mike Todd requested that the reference to 12 units be stricken until the yield

calculations have been reviewed. All were in favor except Mike Price. The motion carried.

The final waiver request was for a 22 foot road width. Road Agent Brian Knipstein is fine with the request. Four foot shoulders have been added to the plans. A motion was made by Mike Todd and seconded by Mike Price to grant the waiver for road width. All were in favor and the motion carried.

Jonathan commented that he has not received comments back from Civilworks. He will review the homeowner's documents with Clay and they will need a conditional use permit.

Bill Meserve brought up the abutters concerns with their wells. Jonathan stated that 12 lots is a low intensity water usage using calculations from state environmental services. There should be no adverse effects to abutters.

The applicant did agree to work with the existing homeowners and the Board would like to see that done.

Clay is working on calculating a cost for sidewalks.

The applicant is meeting with the Conservation Commission on Monday May 18, 2008 to get comments and suggestions from them. They are concerned with the wetlands impact.

More money may be needed in the escrow account. Sue will send a copy of the balance to Attorney Battles.

A motion was made and seconded to continue the hearing until next month. All were in favor and the motion carried.

The Conservation Commission will be giving the Planning Board a recommendation regarding the applicant's wetlands permit. The applicant will also consult with Civilworks and Clay regarding wetlands.

Bill Meserve discussed the buffer along the roadway entrance. According to the applicant there are several existing trees that will serve as a buffer. Jonathan suggested going to the site to see what is there.

Dunkin Donuts-Route 108

Developer Dave Garvey addressed the Board. The plan has been redesigned as suggested by the Board. The building will sit diagonally on the lot. The drive through will be on the cemetery side of the lot. Clay informed Dave that State RSA's require that there be no disturbance within 25 feet of a cemetery and this will be noted on the plan. There are trees along the cemetery boundary and dumpster area. The entrance has been moved back

as far as possible. The number of parking spaces has remained the same and there is plenty of stacking for cars. There is a loading zone and delivery truck turnaround. There will be a light at the end of Winkler Way as suggested by Chief Reed. The light will face out towards the cisterns.

The splash plan has not been completed to date but they intend on using low wattage lights.

There is a different alignment at the end of Winkler Way by request of the State. The lane coming in off of Route 108 has been widened to 16 feet. DOT approval has not been received to date.

The drainage report is complete and has been submitted to Clay.

An area for snow storage needs to be determined.

Mike Todd was concerned with the finished floor grade elevation as compared to the roadway and parking lot. It may be a concern for accessibility.

Pat Edgerly asked where the roadway turns onto Route 108. She is concerned with the traffic. The campground store traffic has difficulty now getting out onto Route 108. The wait can be up to 20 minutes. Dave Garvey informed her that there will be an acceleration lane coming in and going out.

The plans need to show the proposed lighting.

Septic design and approval is needed.

The existing driveway will be abandoned.

The signed mylar for the subdivision needs to be recorded.

Signage needs to be discussed.

Wetlands permit is needed.

The splash plan for lighting needs to be submitted.

Bond for landscaping needs to be discussed.

Need elevations shown on the plan.

Board needs to decide if the plan will be sent out for engineering reviews. If so, an escrow account should be established.

Need amount of money calculated to be contributed to the sidewalk fund.

A motion was made by Mike Todd and seconded by Mike Price to accept the plan. All were in favor and the motion carried.

The hearing will be continued until next month.

Preliminary Discussion-Case Subdivision

Jonathan Ring from Jones and Beach and John Krebbs were present to present a conceptual plan. The proposed plan is a conservation subdivision with 16 lots. The area of the open space would be 31.21 acres. The parcel would have a 75 foot buffer and a cul-de-sac length of 1200 feet to the loop. The roadway would be 22 feet wide with four foot shoulders.

One of the Board's concerns is the topography and grade of the property. The entry way is very steep. They did not encourage the applicant to move forward with this plan.

A motion was made by Mike Todd and seconded by Mike Price to amend the minutes of April 17. All were in favor and the minutes were accepted as amended.

The next meeting will be June 19, 2008 at 7pm.

The meeting adjourned at 9:38pm.

Respectfully submitted,

Sue McKinnon